

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:11-CV-158**

WILLIAM WALT PETTIT, in his capacity     )  
as Court-Appointed Receiver for the     )  
Biltmore Financial Group, Inc.     )

**Plaintiff,**

**v.**

STEPHEN ALLEN, ET AL.,     )

**Defendants.**

**ORDER**

**BEFORE THE COURT** are motions for entry of default of Huffman Racing, Inc. (Doc. 78) and George Huffman (Doc. 79).

Huffman Racing, Inc. executed a waiver of service on October 10, 2010. (Doc. 17). On February 24, 2012, Plaintiff filed the waiver of service. (Doc. 17). The time for Huffman Racing, Inc. to answer or otherwise respond has passed.

George Huffman executed a waiver of service on October 10, 2010. (Doc. 16). On February 24, 2012, Plaintiff filed the waiver of service. (Doc. 16). The time for George Huffman to answer or otherwise respond has passed.

Under Rule 55, “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.”

**IT IS, THEREFORE, ORDERED THAT**

(1) Plaintiff’s Motions for Default of Huffman Racing, Inc. and George Huffman (Docs. 78-79) are **GRANTED**; and

(2) the Clerk is **ORDERED** to enter Huffman Racing, Inc. and George Huffman's default.

Signed: April 14, 2015

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees  
United States District Judge

